

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PABLO SANTIAGO	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL J. ASTRUE	:	NO. 09-4880

ORDER

AND NOW, this 1st day of March, 2011, upon careful and independent consideration of plaintiff Pablo Santiago's statement of issues in support of request for review (docket entry # 7), defendant Michael J. Astrue's response thereto (docket entry # 8), plaintiff's reply (docket entry # 10), defendant's motion for leave to file reply (docket entry # 11), the Honorable Henry S. Perkin's report and recommendation (docket entry # 14), to which neither party has filed an objection within the period specified by Loc. R. Civ. P. 72.1 IV (b), and the Court agreeing with Magistrate Judge Perkin that this matter must be remanded so that a consultative medical expert may adequately develop the record and the Administrative Law Judge may make a finding as to whether plaintiff suffers from a listing-level disability, with plaintiff afforded the opportunity to supplement the medical evidence as needed, it is hereby ORDERED that:

1. The Clerk of Court shall TRANSFER this matter from our civil suspense docket to our active docket;

2. Magistrate Judge Perkin's report and recommendation (docket entry # 14) is APPROVED and ADOPTED;

3. Plaintiff's request for review (docket entry # 7) is GRANTED IN PART;

4. This case is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with Magistrate Judge Perkin's report and recommendation; and

5. The Clerk shall CLOSE this case statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.